



**IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE LOCAL DIVISION, EAST LONDON**

CASE NO: EL 848/2017

ECD 2148/17

Before the Honourable Madam Justice I T Stretch

Date: Thursday, 5 September 2019

In the matter between:

BW BRIGHT WATER WAY PROPS (PTY) LTD

Applicant

and

EASTERN CAPE DEVELOPMENT CORPORATION

Respondent

Having heard Mr Quinn SC for the applicant and Mr Beyleveld SC for the respondent,
and having read the papers filed of record:

IT IS ORDERED THAT:

1. The order of this Court dated 26 July 2019 is supplemented by the addition, after paragraph (b) of the following:

“(c) The order of constitutional invalidity in paragraph (b) above does not have the effect of divesting the applicant of any rights to which it is entitled under the lease contract, but for the declaration of invalidity.”

2. The order of 26 July 2019 at paragraph (c) is renumbered as paragraph (d).
3. The respondent is directed to pay the costs of this application.

It is recorded that reasons for this order will be handed down in due course.

BY ORDER OF COURT


REGISTRAR

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